

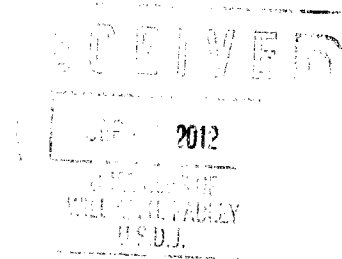
USDC SDNY
DOCUMENT
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DATE FILED: 9/13/12

Theresa Ann Garelli
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MEMO ENDORSED

August 30, 2012

Honorable William H. Pauley III
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 2210
New York, New York 10007-1312



Re: Hernandez, et al. v. Lansky's Equities Corporation, et al.
Docket No.: 10-cv-9495(WHP)(HBP)

Your Honor:

I write for myself and on behalf of the other defendants to respectfully request your pardon for having failed to appear in your court last Friday, August 24, 2012 in the above referenced matter. I was completely unaware of your order requiring me and principals of the defendants to appear. While I acknowledge receipt of the certified mail notice, I did not expect that a court order would be contained therein and failed to open this letter until this morning. Upon reading the letter, I immediately called our attorney, David Feldman, Esq. of Moses & Singer, LLP, and explained that I signed for this while home ill and had put it aside until this morning. Mr. Feldman then advised that the Court had rescheduled the conference to September 14th, 2012. Coincidentally, he was drafting his letter of today's date at the time of my telephone call.

As an officer of the court, I would never knowingly disrespect Your Honor and/or ignore an Order of the Court. Further, I would have assured that the other parties appear as directed. They did not know that their appearance was required. Please accept my sincere apology for this neglect on our part.

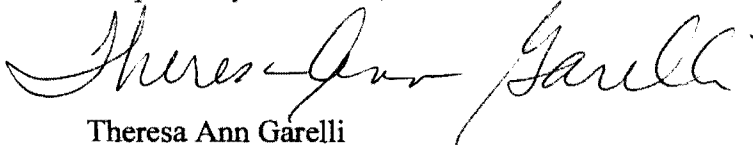
We understand that Moses & Singer, LLP are seeking to withdraw from further representation and that we are required to appear at the next court date. I am not employed by the defendants and am engaged in full time employment with Horizon Land Services, LLC, 15 West 44th Street, New York, NY 10036 as a Senior Vice President & Counsel. I am scheduled to attend business meetings out of the country from September 9th to September 14th, 2012. I have attached a copy of my flight reservation, demonstrating this previously scheduled trip. Upon discussing this with Mr. Feldman, he did not object to rescheduling the court appearance. I have placed a telephone call to Mr.

Ambinder as well, to seek his consent to adjourn the conference. I have not been able to speak with him as yet.

Accordingly, I would respectfully request an adjournment of the status conference date until after September 15, 2012 so that I may appear with the other defendants in Court as previously ordered.


Thank you for your consideration and your judicial attention.

Respectfully submitted,


Theresa Ann Garelli

Cc: David Feldman, Esq.
Lloyd Ambinder, Esq.
David Ruggerio

Application granted. The
conference is rescheduled to
September 24, 2012 at 10 AM.

SO ORDERED:
 9/12/12
WILLIAM H. PAUL, S.D.



Theresa Garelli <tgarelli@gmail.com>

Fwd: T. GARELLI 09/09/12 Itinerary

1 message

Theresa Garelli <tgarelli@gmail.com>
 To: Theresa Garelli <tgarelli@gmail.com>

Thu, Aug 30, 2012 at 3:57 PM

Theresa Garelli
 Attorney At Law

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Sent from my iPad. Please excuse typos.

Begin forwarded message:

From: americanairlines@aa.com
Date: August 24, 2012 12:17:26 AM EDT
To: tgarelli@gmail.com, barbara.young@henleyestates.com
Subject: T. GARELLI 09/09/12 Itinerary



Reservations | AAdvantage Account | Fare Sales & Offers

Record Locator: NIXTBQ
Status: Purchased -Aug 24, 2012

Your Itinerary

Carrier	Flight Number	Departing		Arriving		Booking Code	Meals
		City	Date & Time	City	Time		
AMERICAN AIRLINES	64	JFK New York	Sep 09, 2012 06:10 PM	ZRH Zurich	Sep 10, 2012 07:55 AM	M	Dinner Continental or Snack Breakfast
AMERICAN AIRLINES	65	ZRH Zurich	Sep 14, 2012 10:10 AM	JFK New York	Sep 14, 2012 01:15 PM	M	Lunch Snack

Traveler Information

Passenger	Cabin Class	Seat Assignment
THERESA GARELLI	Economy	12G
THERESA GARELLI	Economy	12C

JFK > ZRH 09/09/2012 ZRH > JFK 09/14/2012

Traveling passengers may check in and obtain boarding passes for U.S. domestic electronic tickets within 24 hours of the flight time online at AA.com by using www.aa.com/checkin or at a Self-Service Check-In machine at the airport. Check-in options may be found at www.aa.com/options. For information regarding American Airlines checked baggage policies, please visit www.aa.com/baggageinfo.

Travelers must present a government-issue photo ID with either a boarding pass or a priority verification card at the security screening checkpoint